

AN ORDINANCE 101118

**AUTHORIZING THE VACATION AND ABANDONMENT
OF A PORTION OF THE MARKET STREET RIGHT-OF-
WAY FOR STREET PURPOSES IN CONNECTION WITH
THE CONVENTION CENTER HOTEL PROJECT**

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WHEREAS, City Council has already approved by Ordinance 100686, dated April 14, 2005, a Ground Lease and License Agreement with Hotel Investments, L.P.

WHEREAS, the Ground Lease and License Agreement includes within the leased premises a portion of the right-of-way of Market Street.

WHEREAS, the development of which the Ground Lease and License Agreement is a part requires a replat of the affected area.

WHEREAS, the portion of Market Street right-of-way subject to the Ground Lease and License Agreement must be closed, vacated, and abandoned before the tenant can replat.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1: The part of right-of-way of Market Street in the area of the Convention Center Hotel Project that is delineated in the field notes attached as **Exhibit A** is surplus to the City's street needs and should be closed, vacated, and abandoned as a street. Exhibit A is incorporated herein by reference for all purposes as if it were fully set forth.

SECTION 2: The City of San Antonio retains ownership of the affected property for all purposes, and this ordinance does not authorize the disposition of any property or interest therein.


SECTION 3. This ordinance does not release any public rights in the subject tract for drainage, water and wastewater lines, chilled water and steam lines, electric transmission lines, or communication lines, to the extent the rights are held by City Public Service or the San Antonio Water System. The City Council hereby expressly delegates to City Public Service and the San Antonio Water System the right to release such rights in writing on such terms as they deem beneficial.

SECTION 4. The Interim City Manager or his designee is authorized and directed to execute and deliver all documents and to do all other things necessary or convenient to reflect this closure, abandonment, and vacation.

SECTION 5. This ordinance presents no financial impact.

SECTION 6. This ordinance shall become effective July 24, 2005.

PASSED AND APPROVED this 14th day of July, 2005.

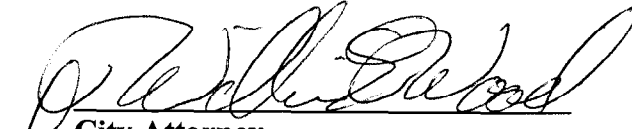

M A Y O R

ATTEST

PHIL HARDBERGER


City Clerk

APPROVED AS TO FORM:


City Attorney

Agenda Voting Results

Name: 3B.

Date: 07/14/05

Time: 09:55:18 AM

Vote Type: Multiple selection

Description: An ordinance authorizing the vacating and abandonment of a portion of the Market Street right-of-way in connection with the construction of the Convention Center Hotel Project.

| Voter | Group | Status | Yes | No | Abstain |
|--------------------------|-------------|--------|-----|----|---------|
| ROGER O. FLORES | DISTRICT 1 | | x | | |
| SHEILA D. McNEIL | DISTRICT 2 | | x | | |
| ROLAND GUTIERREZ | DISTRICT 3 | | x | | |
| RICHARD PEREZ | DISTRICT 4 | | x | | |
| PATTI RADLE | DISTRICT 5 | | x | | |
| DELICIA HERRERA | DISTRICT 6 | | x | | |
| ELENA GUAJARDO | DISTRICT 7 | | x | | |
| ART A. HALL | DISTRICT 8 | | x | | |
| KEVIN WOLFF | DISTRICT 9 | | x | | |
| CHIP HAASS | DISTRICT_10 | | x | | |
| MAYOR PHIL HARDBERGER | MAYOR | | x | | |